

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27281 of 2022

Arising Out of PS. Case No.-212 Year-2020 Thana- MADHUBAN District- East Champaran

1. Dinesh Kumar @ Dinesh Prasad Son Of Chhatardhari Prasad R/ O- Village- Talimpur, P.S.- Madhuban, Dist- East Champaran
2. Suresh Prasad Son Of Chhatardhari Prasad R/ O- Village- Talimpur, P.S.- Madhuban, Dist- East Champaran
3. Pramod Kumar @ Jentle Prasad Son Of Bhikhari Prasad R/ O- Village- Talimpur, P.S.- Madhuban, Dist- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 147, 341, 323, 324, 307, 379,, 354B, 427, 504 and 506 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was cultivating his field, the accused persons came and assaulted the informant. The family members came in rescue were also assaulted by the accused persons.



It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Madhuban P.S. Case No. 212 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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